

RESOLUTION NO. 2021-1374

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA NIGUEL,
CALIFORNIA, EXPRESSING SUPPORT FOR THE “BRAND-HUANG-MENDOZA
TRIPARTISAN LAND USE INITIATIVE” TO AMEND ARTICLE XI OF THE
CONSTITUTION OF THE STATE OF CALIFORNIA TO MAKE ZONING AND LAND
USE COMMUNITY AFFAIRS, AND NOT OF STATE INTEREST**

WHEREAS, the Legislature of the State of California in recent years has proposed, passed, and signed into law a number of bills addressing a range of land use planning and housing issues; and

WHEREAS, the majority of these bills usurp the authority of local jurisdictions to determine for themselves the land use policies and practices that best suit each city and its residents and instead impose “one-size-fits-all” mandates that do not take into account the unique needs and differences of local jurisdictions throughout the State of California; and

WHEREAS, the majority of these bills do not provide any incentives or requirements for low-income affordable or moderate income workforce housing, but instead impose new policies that will incentivize speculation and result in the addition of market-rate or luxury housing, thereby eliminating the opportunity for local jurisdictions to implement effective policies that will create more affordable housing and affirmatively further fair housing practices; and

WHEREAS, the ability of local jurisdictions to determine for themselves which projects require review beyond ministerial approval; what parking requirements are appropriate for various neighborhoods; what housing plans and programs are suitable and practical for each community; and what zoning should be allowed for residential properties, rather than having these decisions imposed upon cities without regard for the unique circumstances and needs of each individual community, is a matter of critical importance to the City of Laguna Niguel and many other municipalities focused on local zoning and housing issues; and

WHEREAS, the City Council of the City of Laguna Niguel hereby determines that local government entities are best able to assess and respond to the unique needs of their respective communities and hereby objects to the proliferation of State legislation (including SB 9 and SB 10) that would deprive us of that ability.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Laguna Niguel as follows:

SECTION 1. That the City Council of the City of Laguna Niguel is opposed to the legislature of the State of California continually proposing and adopting legislation that overrides the zoning and land use authority of local

government and inhibits the ability of local government to effectively plan for and implement policies to stimulate the efficient production of affordable housing in the City of Laguna Niguel

SECTION 2. That the City Council of the City of Laguna Niguel supports the Brand-Huang-Mendoza Tripartisan Land Use Initiative to ensure that zoning and land use authority rests with the local government entities that represent the communities in which the residents reside, and to allow local government to participate in solving our affordable housing crisis through solutions that effectively address the unique needs and conditions of each local community.

SECTION 3. That the City Council of the City of Laguna Niguel incorporates each recital set forth herein above.

PASSED, APPROVED AND ADOPTED this 16th day of November, 2021.